



House of Representatives

General Assembly

File No. 475

January Session, 2005

House Joint Resolution No. 59

House of Representatives, April 20, 2005

The Committee on Judiciary reported through REP. LAWLOR of the 99th Dist., Chairperson of the Committee on the part of the House, that the joint resolution ought to be adopted.

**RESOLUTION ACCEPTING THE RECOMMENDATION OF THE
CLAIMS COMMISSIONER WITH REGARD TO THE CLAIM OF THE
ESTATE OF EMILY HERNANDEZ.**

Resolved by this Assembly:

- 1 That the recommendation of the Claims Commissioner, file number
- 2 16227 of said commissioner, that an award of two hundred fifty
- 3 thousand dollars be granted to the estate of Emily Hernandez on its
- 4 claim against the state in excess of seven thousand five hundred
- 5 dollars, is accepted.

JUD *Joint Favorable*

The following fiscal impact statement and bill analysis are prepared for the benefit of members of the General Assembly, solely for the purpose of information, summarization, and explanation, and do not represent the intent of the General Assembly or either House thereof for any purpose:

OFA Fiscal Note

State Impact:

Agency Affected	Fund-Effect	FY 06 \$	FY 07 \$
Comptroller - Adjudicated Claims Account	GF - Cost	250,000	0

Note: GF=General Fund

Municipal Impact: None

Explanation

The resolution adopts the recommendation of the Claims Commissioner to accept a claim against the state by the Administrator of the Estate of Emily Hernandez. It thereby results in a one-time state cost of \$250,000. The claimant alleges that the Department of Children and Families was negligent and failed to take action to protect the deceased from the abuse that ended her life.

Pursuant to CGS Section 4-160, amounts awarded upon contractual claims for goods or services shall be paid from the appropriation of the agency which received such goods or services. All other amounts, including personal injury awards, are paid from the resources of the General Fund via the Adjudicated Claims account.¹

¹ The Adjudicated Claims account is a non-appropriated, General Fund account within the State Comptroller's agency for administrative purposes. Payments from this account would reduce a surplus or increase a deficit in the General Fund.

OLR Bill Analysis

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SUMMARY:

The Office of Legislative Research does not analyze Resolutions.

COMMITTEE ACTION

Judiciary Committee

Joint Favorable Report

Yea 36 Nay 0